

## MINUTES OF THE TOWN BOARD OF AUGUST 25, 2010

PRESENT:           Supervisor   Teresa Dean  
                  Council       Edward Fairbrother  
                                 Mike Smith  
                  Attorney     Thomas Bowes  
                  Town Clerk   Linda Cross  
ABSENT:           Council       Marcia Hudock  
                                 David Manchester

Supervisor Dean called the Town Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

### CONCERNS OF THE PEOPLE

Andy Gillette, 6 Antler Road,

- People driving too fast, and the concern of all the young children that are out playing. Asking for direction on how to handle this
- TAFFY Program, highly in favor of the regulation to stay in place, asking to keep them, and not to open the park

Supervisor Dean reported the following:

Contacting the police and have them do some investigating.

No Town Board member has brought any action to changing the policy for our TAFFY program.

PUBLIC HEARING:   7:02 p.m.   Local Law No.1, 2010, Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code.

Supervisor Dean called the public hearing to order at 7:02 p.m. and read the legal notice duly advertised in the Elmira-Star-Gazette on August 16, 2010, which allowed and considered public comments from any interested parties herein at the time specified, concerning a proposed local law titled Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code relating to electrical inspections also referenced as Municipal Code, Chapter 15.04.

IN FAVOR:           None  
OPPOSITION:       None  
COMMENTS:         None

Close the public hearing

### MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of July 28, 2010 as presented. All in favor. Motion carried.

Councilperson Smith made a motion, seconded by Councilperson Fairbrother to approve the minutes of August 11, 2010 as presented. All in favor. Motion carried.

MINUTES OF THE TOWN BOARD OF AUGUST 25, 2010

OLD BUSINESS

RESOLUTION NO.181-10  
LOCAL LAW NO. 1, 2010, ADMINISTRATION AND ENFORCEMENT OF THE  
NYS UNIFORM FIRE PREVENTION AND BUILDING CODE APPROVED

Resolution by: Fairbrother

Seconded by: Dean

WHEREAS the Town Board had determined the necessity to consider a proposed Local Law for an amendment to Title 15, Buildings and Construction, Section 15.04 of the Town Code, and

WHEREAS a public hearing was duly held on August 25, 2010 where as all interested parties were duly heard, and

WHEREAS for environmental purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board approves the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code, titled Local Law No. 1 of 2010, Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code, and the Town Clerk shall file the same with the Department of State.

CARRIED: AYES: Fairbrother, Smith, Dean

NAYS: None

ABSENT: Hudock, Manchester

NEW BUSINESS

RESOLUTION NO.182-10  
BUDGET TRANSFERS APPROVED

Resolution by: Smith

Seconded by: Fairbrother

WHEREAS a memorandum was received from the Bookkeeper, dated August 6, 2010, requesting authorization to complete budget transfers for the General Fund, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to fulfill the following budget transfers:

MINUTES OF THE TOWN BOARD OF AUGUST 25, 2010

RESOLUTION NO.182-10, Budget Transfers continued

FROM:	Contingency	A1940.0200	\$ 5,600
TO:	Purchase of Land	A1990.0400	\$ 5,600
FROM:	Hospital & Dental Ins.	A9060.0800	\$10,000
TO:	Attorney-CE	A1420.0400	\$10,000

CARRIED: AYES: Fairbrother, Smith, Dean  
NAYS: None  
ABSENT: Hudock, Manchester

RESOLUTION NO.183-10  
ABSTRACT OF AUDITED VOUCHERS APROVED

Resolution by: Fairbrother  
Seconded by: Smith

RESOLVE the Town Board approves the Abstract of Audited Vouchers for August 2010, vouchers 10146-10236, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 53,108.44
HIGHWAY FUND	\$ 47,284.46
SEWER DISTRICT	\$ 85.36
WATER DISTRICT #1	\$ 5,058.66
WATER DISTRICT #2	\$ 5,239.04
WATER DISTRICT #3	\$ 42,320.45
WATER DISTRICT #4	\$ 4,149.72
LIGHTING DISTRICT	\$ 512.28
TRUST & AGENCY	\$ 431.29

CARRIED: AYES: Fairbrother, Smith, Dean  
NAYS: None  
ABSENT: Hudock, Manchester

RESOLUTION NO.184-10  
VOID CHECKS APPROVED

Resolution by: Smith  
Seconded by: Dean

WHEREAS a memorandum was received from the Bookkeeper, dated August 6, 2010 requesting authorization to void specific checks, and

MINUTES OF THE TOWN BOARD OF AUGUST 25, 2010

RESOLUTION NO.184-10, Void Checks continued

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check #7172 to Joseph Piersimoni in the amount of \$13.85 and check #8338 to Jason Thompson in the amount of \$27.70 for exceeding the six month cashing period, and

FURTHER RESOLVED due to duplicate payments the Town Board authorizes the Bookkeeper to void check #8830 in the amount of five hundred dollars (\$500), delete voucher #10078 to Jason Wicks; and void check #8821 in the amount of two hundred nineteen dollars (\$219, delete voucher #10064 to Golos Printing Inc.

CARRIED: AYES: Fairbrother, Smith, Dean  
NAYS: None  
ABSENT: Hudock, Manchester

RESOLUTION NO.185-10  
RECODE VOUCHERS APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town Board approved two vouchers which were incorrectly coded and require a correction, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA, 6NYCRR, Part 617.5 (c) (20), now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to recode the following:

- Voucher #9999 issued to Suite Kote Corp. in the amount of \$57,329.22 to D5112.0400,
- Voucher #10101 issued to Orrick, Herington & Sutcliffe in the amount of \$1,500.00 to H118197.0205.

CARRIED: AYES: Fairbrother, Smith, Dean  
NAYS: None  
ABSENT: Hudock, Manchester

MINUTES OF THE TOWN BOARD OF AUGUST 25, 2010

RESOLUTION NO.186-10  
SPECIAL TOWN BOARD MEETING APPROVED FOR SEPTEMBER 7, 2010

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town Board determined it necessary to meet with the Planning Board to discuss the proposed zoning amendments, and

WHEREAS the next Planning Board meeting is scheduled for Tuesday, September 7, 2010 at 6:30 p.m. and the Town Board wishes to attend that meeting to discuss the proposed amendments, now

BE IT THEREFORE RESOLVED due to the fact that a majority of the Town Board will likely be at the Planning Board meeting on September 7, 2010, the Town Board sets a special meeting for September 7, 2010 at 6:30 p.m.

CARRIED: AYES: Fairbrother, Smith, Dean  
NAYS: None  
ABSENT: Hudock, Manchester

CORRESPONDENCE

Liquor License/El Monte Inn. A letter was received from Joseph B. McGrane, president of El Monte Inn, dated August 12, 2010, regarding the renewal of their Liquor License.

Liquor License/T.G.I Friday's Inc. A letter was received from Carol M. Chopp, Vice-President & Asst. Sec., of T.G.I Friday's, dated August 4, 2010, regarding the renewal of their Liquor License.

Supervisor Dean mentioned, a Press Release regarding, Phil Hall, a local author from the Elmira area. Phil will be doing a book signing on his mystery adventure book at the Farmers Market on Tuesday August 31, 2010, from 10:30 a.m. – 2:30 p.m.

Councilperson Fairbrother is asking the Town Board to have something done with the Kahler Road brush site. People are dumping all kinds of items and garbage more and more all the time.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 7:20 p.m. All in favor, except for Councilperson Hudock, and Councilperson Manchester whom was absent, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk